



UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUNG KYOO MOON,

Defendant.

CR No. 2:22-CR-00197-DMG

I N F O R M A T I O N

[18 U.S.C. § 1343: Wire Fraud; 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c): Criminal Forfeiture]

The United States Attorney charges:

[18 U.S.C. § 1343]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this Information:

1. Defendant JUNG KYOO MOON resided in Los Angeles County within the Central District of California.

2. Defendant MOON exercised control over Open Bank account ending in 9977 (the "Open Bank Account") and other bank accounts (collectively the "Bank Accounts").

3. Private lenders Business Backer, Next Wave, OnDeck, and Kapitus (the "victim lenders") issued loans to small business applicants.

1 4. The victim lenders accepted electronic applications and,
2 upon approval, transferred the loan funds to a business account
3 designated by the applicant.

4 5. Approved applicants were required to pay back the loan,
5 including a predetermined amount of interest.

6 B. SCHEME TO DEFRAUD

7 6. Beginning no later than in or about February 2016, and
8 continuing until at least in or about January 2020, in Los Angeles
9 County, and elsewhere, defendant MOON, together with others,
10 knowingly and with the intent to defraud and cheat, devised,
11 participated in, and executed a scheme to defraud victim lenders as
12 to material matters, and to obtain money from victim lenders by means
13 of material false and fraudulent pretenses, representations, and
14 promises, and the concealment of material facts.

15 7. The fraudulent scheme operated, in substance, in the
16 following manner:

17 a. Defendant MOON and his co-schemers would open Bank
18 Accounts in the names of businesses.

19 b. Defendant MOON and his co-schemers would use the Bank
20 Account numbers of the businesses to create false bank statements
21 that appeared to show financial transactions of the businesses.

22 c. Defendant MOON and his co-schemers would use the false
23 and forged bank statements to apply for loans from the victim
24 lenders.

25 d. Defendant MOON and his co-schemers would use
26 counterfeit California driver's licenses to apply for the loans from
27 the victim lenders.

28 e. Defendant MOON and his co-schemers would create email

1 accounts with Google, that is, Gmail accounts, which defendant would
2 access and use to communicate with victim lenders in furtherance of
3 the fraudulent scheme.

4 f. Defendant MOON and his co-schemers would also use
5 temporary phones and phone numbers when communicating with the victim
6 lenders in furtherance of this scheme to defraud the victim lenders.

7 g. By applying for loans using false information and
8 documents, defendant MOON would cause the victim lenders to approve
9 the loan applications and transfer loan funds to the Bank Accounts in
10 the names of businesses that defendant and his co-schemers
11 controlled.

12 h. After receiving the loan funds from the private
13 lenders, defendant MOON and his co-schemers would transfer most, if
14 not all, of the funds out of the bank accounts they controlled into
15 other bank accounts they controlled.

16 i. Defendant MOON would then close the Bank Accounts in
17 the names of businesses.

18 j. Defendant MOON and his co-schemers then would either
19 not make any payments or stop making payments to the victim lenders.

20 k. In all, defendant MOON and his co-schemers
21 fraudulently obtained at least 21 loans as part of this scheme,
22 through which defendant obtained at least \$1,491,820.00 in loans. Of
23 that amount, defendant paid back only \$83,892.13, resulting in a loss
24 of approximately \$1,407,927.87 to the victim lenders.

25 C. USE OF THE WIRES

26 8. On or about January 3, 2020, in Los Angeles County, within
27 the Central District of California, and elsewhere, for the purpose of
28 executing the above-described scheme to defraud, defendant MOON

1 caused the transmission of a wire and radio communication in
2 interstate and foreign commerce, namely, a wire transfer of \$60,000
3 from Rapid Finance originating in Maryland to the Open Bank Account
4 ending in 9977 in California.

FORFEITURE ALLEGATION

[18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction of the offense set forth in this Information.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any and all property, real or personal, constituting, or derived from, any proceeds traceable to the offenses; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the defendant, if so convicted, shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph or any portion thereof (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to, or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been

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1 substantially diminished in value; or (e) has been commingled with
2 other property that cannot be divided without difficulty.

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4 TRACY L. WILKISON
5 United States Attorney

6 *Christina Shy for SMG*
7 SCOTT M. GARRINGER
8 Assistant United States Attorney
9 Chief, Criminal Division

10 JERRY C. YANG
11 Assistant United States Attorney
12 Chief, Riverside Branch Office

13 RUBEN ESCALANTE
14 Assistant United States Attorney
15 Riverside Branch Office
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